AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1-15. (cancelled)

16. (currently amended) A write-once-type recording medium comprising:

a data area to record therein the record data;

a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and

a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein to temporarily record therein the defect management information of said data area, the evacuation data being recorded with one predetermined point which exists in said shared area as a start point, the defect management information being recorded with an-

other predetermined point which exists at a different point from the one point as a start point, in said shared area,

wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area,

in the shared area, the evacuation data is separately recorded from the defect management information,

an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded.

17. (previously presented) The write-once-type recording medium according to claim 16, wherein the evacuation data is continuously recorded with the one point as the start point and the defect management information is continuously recorded with the another point as the start point, in said shared area.

18. (cancelled)

19. (previously presented) The write-once-type recording medium according to claim 16, wherein the evacuation data and the defect management information are each recorded, repeatedly, a plurality of times, in said shared area.

20. (currently amended) A recording apparatus for recording record data onto a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area, to record therein defect management information of said data area to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data

area, (iv) an end address of the data area and (v) a size of the shared area,

said recording apparatus comprising:

a first recording device for recording the record data into said data area; and

a second recording device for recording the evacuation data and the defect management information into said shared area, said second recording device recording the evacuation data with one predetermined point which exists in said shared area as a start point, said second recording device recording the defect management information with another predetermined point which exists at a different point from the one point as a start point, in said shared area,

said second recording device recording the evacuation data and the defect management information in such a manner that, in the shared area, the evacuation data is separately recorded from the defect management information,

said second recording device recording the evacuation data and the defect management information in such a manner that an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded.

21. (cancelled)

22. (currently amended) A recording method of recording record data onto a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area,

said recording method comprising:

a first recording process of recording the record data into said data area; and

a second recording process of recording the evacuation data and the defect management information into said shared area, said second recording process recording the evacuation data with one predetermined point which exists in said shared area as a start point, said second recording process recording the defect management information with another predetermined point which exists at a different point from the one point as a start point, in said shared area,

said second recording process recording the evacuation data and the defect management information in such a manner that, in the shared area, the evacuation data is separately recorded from the defect management information,

said second recording process recording the evacuation data and the defect management information in such a manner that an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded.

23. (currently amended) A reproducing apparatus for reproducing the record data recorded on a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area to record therein defect

management information of said data area to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, the evacuation data being recorded with one predetermined point which exists in said shared area as a start point, the defect management information being recorded with another predetermined point which exists at a different point from the one point as a start point, in said shared area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area, in the shared area, the evacuation data is separately recorded from the defect management information, an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded,

said reproducing apparatus comprising:

a reading device for reading the defect management information recorded in said shared area; and

a reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in said shared area, on the basis of the defect management information.

24. (currently amended) A reproducing method of reproducing the record data recorded on a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, the evacuation data being recorded with one predetermined point which exists in said shared area as a start point, the defect manage-

ment information being recorded with another predetermined point which exists at a different point from the one point as a start point, in said shared area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area, in the shared area, the evacuation data is separately recorded from the defect management information, an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded,

said reproducing method comprising:

a reading process of reading the defect management information recorded in said shared area; and

a reproducing process of reproducing the record data recorded in said data area or the evacuation data recorded in said shared area, on the basis of the read defect management information.

25. (currently amended) A computer program product for recording control in a computer-readable medium for tangibly em-

bodying a program of instructions executable by a computer provided for a recording apparatus, said program making the computer function as at least one portion of a first recording device and a second recording device, said recording apparatus for recording record data onto a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area,

said recording apparatus comprising:

said first recording device for recording the record data into said data area;

said second recording device for recording the evacuation data and the defect management information into said shared area,

said second recording device recording the evacuation data with one predetermined point which exists in said shared area as a start point, said second recording device recording the defect management information with another predetermined point which exists at a different point from the one point as a start point, in said shared area,

said second recording device recording the evacuation data and the defect management information in such a manner that, in the shared area, the evacuation data is separately recorded from the defect management information,

said second recording device recording the evacuation data and the defect management information in such a manner that an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded.

26. (currently amended) A computer program product for reproduction control in a computer-readable medium for tangibly embodying a program of instructions executable by a computer pro-

vided for a reproducing apparatus, said program making the computer function as at least one portion of a reading device and a reproducing device, said reproducing apparatus for reproducing the record data recorded on a write-once-type recording medium comprising:

(i) a data area to record therein the record data;

(ii) a control information recording area, which includes a definite defect management area to record therein defect management information of said data area, to record therein information for controlling at least one of operations of recording and reading in said data area; and

(iii) a shared area, which is disposed between said control information recording area and said data area, to record therein evacuation data which is record data to be recorded at a position of a defect in said data area and to temporarily record therein the defect management information of said data area, the evacuation data being recorded with one predetermined point which exists in said shared area as a start point, the defect management information being recorded with another predetermined point which exists at a different point from the one point as a start point, in said shared area, wherein the defect management information includes (i) an evacuation source address which is an address of the position of the defect in the data area and (ii) an evacuation destination address which is an address of a recording

position of the evacuation data, and further includes (iii) a start address of the data area, (iv) an end address of the data area and (v) a size of the shared area, in the shared area, the evacuation data is separately recorded from the defect management information, an area portion in the shared area, into which the evacuation data is recorded, is outer than an area portion in the shared area, into which the defect management information is recorded,

said reproducing apparatus comprising:

said reading device for reading the defect management information recorded in said shared area; and

said reproducing device for reproducing the record data recorded in said data area or the evacuation data recorded in said shared area, on the basis of the defect management information.